

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

No. 7:09-CR-142-2F

UNITED STATES OF AMERICA

v.

TAMALA CREASY NEWTON,
Defendant.

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ORDER

This matter is before the court on the Motion for Approval of Expert Compensation [DE-93] filed by Defendant Tamala Creasy Newton (“Newton”). The court interprets the motion as seeking authorization of funds for expert services in excess of the statutory maximum, pursuant to 18 U.S.C. § 3006A(e)(3). On April 7, 2010, pursuant to 18 U.S.C. § 3006A(e)(1), this court allowed an expenditure of up to \$1,600.00 in fees,¹ exclusive of reimbursement for expenses reasonably incurred, for psychiatric services to be provided by Dr. Moira F. Artigues.

In the instant motion, Newton seeks a total fee in the amount of \$7,285.81, which is well in excess of the \$1,600.00 previously authorized by this court. As the pertinent statute explains:

“Compensation to be paid to a person for services rendered by him to a person under this subsection, or to be paid to an organization for services rendered by an employee thereof, *shall not exceed \$1,600*, exclusive of reimbursement for expenses reasonably incurred, *unless* payment in excess of that limit is certified by the court . . . as necessary to provide fair compensation for services of an *unusual character or duration*, and the amount of the excess payment is approved by the chief judge of the circuit.”

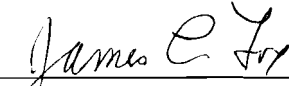
18 U.S.C. § 3006(e)(3) (emphasis added). Because Newton has not expressed the “unusual character or duration” of her case that requires additional funds of this nature, the court is unable, at this time, to certify such an expenditure to the chief judge of this circuit. Therefore, Newton’s

¹ The statutory maximum for obtaining investigative, expert, or other services necessary for adequate representation has subsequently been increased to \$2,400.00.

Motion for Approval of Expert Compensation [DE-93] hereby is DENIED WITHOUT PREJUDICE to renew.

SO ORDERED.

This, the 4th day of April, 2011.



James C. Fox
Senior United States District Judge